REMARKS

The foregoing amendment is provided to remove issues for appeal and place the current application in condition for allowance, rather than to avoid prior art.

Applicants respectfully request reconsideration of the above identified application. Claims 1-46 are pending. Claims 1-46 are rejected. Claims 31-34 are canceled.

The remaining comments are directed to Claims 1-46. Applicant respectfully notes that in the Office Action mailed on December 23, 2003, responses to Applicant's arguments of November 26, 2003; interpretations or characterizations by the Examiner, include inferences and/or potential limitations, to which Applicant does not agree.

35 U.S.C. § 102(e) Rejections

The Final Office Action mailed on December 23, 2003 rejects Claims 1-46 under 35 U.S.C. 102(e) as allegedly being anticipated by Bourekas, U.S. Patent 6,598,050.

Applicant respectfully disagrees with the Examiner's anticipation assertions. With regard to claims 31-34, in order to facilitate prosecution of the current application, Applicant elects to pursue these claims in a continuation application and to further solicit the Examiner's allowance of claims 1-30 and 35-46.

11

13

In response to Applicants previous argument, the Examiner failed to see how matching the TLB group membership field and the group membership field in the virtual address does not read on the recited control logic.

In order to anticipate the claims, the claimed subject matter must be disclosed in the reference with "sufficient specificity to constitute an anticipation under the statute." MPEP § 2131.03.

The group membership field of Bourekas is provided in the virtual address by the operating system and stored in the TLB group membership field. Therefore, the sharability status has already been identified and the sharing indication provided by the operating system rather than processor control logic.

Therefore, Applicants respectfully submit that Claims 1, 9, 13, 20, 35 and 36 are patently distinguished over the art cited by the Examiner. Applicants further believe that Claims 2-8, 10-12, 14-19, 21-30, and 37-46 being dependent therefrom are also patentable. Applicants respectfully request the Examiner withdraw his rejection under 35 U.S.C. 102(e).

Applicants, therefore, believe that Claims 1-46 are presently in condition for allowance and such action is earnestly solicited.

CONCLUSION

Applicants respectfully submit the present claims for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Lawrence M. Mennemeier at (408) 765-2194.

14

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 2/4/04

Lawrence M. Mennemeier

Reg. No. 51,003

12400 Wilshire Boulevard

Seventh Floor

Los Angeles, CA 90025-1026

(408) 720-8300

15

Being respectful of the Examiner's time, Applicant will refrain from repeating all of the prior arguments, but respectfully reserves the right to reassert any of the prior arguments that have previously been put forward.

The Examiner states with regard to Claims 1-3, 5-10, 12 and 31-34 that, "Bourekas discloses a method, executable code and processor for transparently sharing virtual address translations, by accessing a translation and identifying if it is sharable...the global bit 115 and group membership fields 118 identify if the translation is sharable, and if so by the current task, as this procedure is transparent to the OS... requires no traps and therefore no modification of or special support by the OS;" with regard to Claims 13-15, 19-22 and 28-30 that, "Bourekas discloses processors and multiple logical processors as recited, since multiple tasks/processes are described;" and with regard to Claims 24-27, 35-36, 40 and 42-46 that, "Bourekas discloses that the TLB stores the indication."

Applicants respectfully disagree with the Examiners assertions and wish to take this opportunity to explain the reasoning for arguments made in the communication filed on November 26, 2003.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). MPEP § 2131.

Claims 1, 9, 13, 20 and 35 set forth operating-system transparent methods and apparatus to access a virtual address translation and transparently identifying if the virtual address translation is sharable.

Bourekas admits that, "With the use of a group membership field, the operating system can support three levels of access in a virtual to physical address translation. The operating system permits a global translation, an

12

individual translation and a group translation," (col. 5, line 65 through col. 6, line 2, emphasis added).

In response to Applicants previous argument, the Examiner states that the OS [operating system] supports and permits shared and unshared translations... without requiring special operating system support or modification (emphasis added). Applicant respectfully submits that when operating system support is not provided to permit the shared translations of Bourekas, there is not a mechanism described or suggested to provide shared translations. Therefore, Bourekas provides no operating-system transparent methods and apparatus to identify if the virtual address translation is sharable, as set forth by Claims 1, 9, 13, 20 and 35.

Accordingly in light of the argument presented above, Applicant respectfully requests the Examiner withdraw the rejection of Claims 1, 9, 13, 20 and 35.

Claim 36 sets forth processor control logic comprising circuitry to identify a sharability of the first entry... and to provide a first sharing indication to indicate if the first entry may be shared. Claim 36 further sets forth a sharing indication field in the first entry to store the first sharing indication provided by the control logic.

In contrast, Bourekas matches the TLB group membership field and the group membership field in the virtual address (col. 4, lines 64-66), both being provided by the operating system rather than processor control logic. Applicant respectfully submits that Bourekas does not disclose or suggest processor control logic for identifying sharability or storing a sharing indication provided by the control logic as set forth in Claim 36.

13